

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 21, 2011

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Forty-third Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 21, 2011

The House met pursuant to adjournment at 1:03 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jeff Mullen, Point of Grace Church, Waukee. He was the guest of Representative Pearson of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Keagle, Page from St. Charles.

The Journal of Friday, February 18, 2011 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas through February 23, 2011 on request of Upmeyer of Hancock; Swaim of Davis on request of McCarthy of Polk; Wessel-Kroeschell on request of Isenhardt of Dubuque.

INTRODUCTION OF BILLS

[House File 334](#), by Wagner, a bill for an act expanding the definition of alternate energy production facility for purposes of compliance with electric utility rate regulation requirements.

Read first time and referred to committee on **commerce**.

[House File 335](#), by Pettengill, a bill for an act adding geothermal to specified definitions or references relating to alternate and renewable energy.

Read first time and referred to committee on **commerce**.

[House File 336](#), by Van Engelenhoven, a bill for an act relating to the compensation paid by a motor vehicle manufacturer, distributor, or importer for warranty parts, repairs, or service supplied by a motor vehicle dealer.

Read first time and referred to committee on **commerce**.

[House File 337](#), by Petersen, Oldson, Wolfe, Kressig, Hanson, Kearns, Heddens, M. Smith, Berry, Thede, Steckman, Mascher, Abdul-Samad, Gaskill, H. Miller, Lensing, Wessel-Kroeschell, Wittneben, Kelley, Hunter, Swaim, T. Olson, Kajtazovic, and Hall, a bill for an act modifying provisions relating to the regulation of delayed deposit services businesses, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **commerce**.

[House File 338](#), by Kaufmann, a bill for an act relating to the criminal offense of homicide by vehicle and making penalties applicable.

Read first time and referred to committee on **judiciary**.

SENATE MESSAGE CONSIDERED

[Senate File 209](#), by committee on ways and means, a bill for an act relating to public funding and regulatory matters by making appropriations, providing for updated Code references to the Internal Revenue Code, increasing the state earned income tax credit, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **ways and means**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 17, 2011, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 45](#), a bill for an act relating to public funding and regulatory matters and making, reducing, and transferring appropriations and revising fund amounts and

including effective, retroactive, and other applicability date provisions, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 1:12 p.m., until the fall of the gavel.

The House resumed session at 2:00 p.m., Speaker Paulsen in the chair.

SENATE AMENDMENT CONSIDERED

Wagner of Linn called up for consideration [House File 45](#), a bill for an act relating to public funding and regulatory matters and making, reducing, and transferring appropriations and revising fund amounts and including effective, retroactive, and other applicability date provisions, and making penalties applicable, amended by the Senate, and moved that the House concur in Senate amendment [H-1091](#).

The motion prevailed and the House concurred in the Senate amendment [H-1091](#).

Wagner of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 45](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian

Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	Koester	Swaim	Taylor, T.
Wessel-Kroeschell			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended was agreed to.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF PUBLIC HEALTH

Direct Care Worker Advisory Council Interim Progress Report, pursuant to [House File 2526](#), 2010 Iowa Acts.

SUBCOMMITTEE ASSIGNMENTS

[House File 292](#)

Agriculture: Dolecheck, Chair; Paustian and Quirk.

[House File 293](#)

Agriculture: Deyoe, Chair; S. Olson and Swaim.

[House File 295](#)

Environmental Protection: Klein, Chair; Byrnes and Kelley.

[House File 303](#)

Commerce: Grassley, Chair; Kressig and Shaw.

[House File 304](#)

Commerce: Windschitl, Chair; Jacoby and Shaw.

[House File 305](#)

Economic Growth/Rebuild Iowa: Schultz, Chair; De Boef and Thomas.

[House File 314](#)

State Government: Helland, Chair; Hein and Lensing.

[House File 315](#)

State Government: Jorgensen, Chair; Hunter and Massie.

[House File 316](#)

State Government: Iverson, Chair; Quirk and Rogers.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 108](#)

Agriculture: Deyoe, Chair; Kelley and Rasmussen.

[House Study Bill 109](#)

Agriculture: Sweeney, Chair; Hein and Muhlbauer.

[House Study Bill 110](#)

Agriculture: Moore, Chair; Muhlbauer and Shaw.

[House Study Bill 111](#)

Agriculture: Paustian, Chair; Shaw and Wenthe.

[House Study Bill 112](#)

Agriculture: De Boef, Chair; Moore and Thomas.

[House Study Bill 113](#)

Agriculture: Sweeney, Chair; Hein and Quirk.

[House Study Bill 114](#)

(Committee of the Whole)

Appropriations: Raecker, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson,

Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

House Study Bill 115
(Committee of the Whole)

Appropriations: Raecker, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

House Study Bill 116
(Committee of the Whole)

Appropriations: Raecker, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

House Study Bill 117

Labor: Jorgensen, Chair; Horbach and Willems.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 122 Human Resources

To exclude tests not intended to evaluate the risk of developing a disease from the restrictions on genetic testing contained in the Iowa criminal code.

H.S.B. 123 Education

Relating to public construction bidding requirements for public school corporation improvements and including applicability provisions.

H.S.B. 124 Commerce

Relating to the permitting, licensing, construction, and operation of nuclear generation facilities.

H.S.B. 125 Commerce

Relating to various matters under the purview of the insurance division of the department of commerce.

H.S.B. 126 Commerce

Relating to the licensing and regulation of real estate brokers and salespersons.

H.S.B. 127 Public Safety

Relating to possession under the criminal law.

H.S.B. 128 Commerce

Establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

H.S.B. 129 Ways and Means

Relating to the percentage of actual value at which certain classifications of property are assessed for property tax purposes and including future repeal and applicability provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House Study Bill 49](#)), relating to veterans records by requiring county recorders to provide copies of certain records to the department of veterans affairs and the county commission of veteran affairs and by requiring the department of veterans affairs to provide copies of certain discharge documents to the appropriate county commission of veteran affairs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 17, 2011.

Committee Bill (Formerly [House File 256](#)), relating to the duties and rulemaking authority of the commission on veterans affairs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 17, 2011.

On motion by Upmeyer of Hancock the House adjourned at 2:08 p.m., until 8:30 a.m., Tuesday, February 22, 2011.